

Remarks

The Examiner's reconsideration of the Application is urged in view of the Amendments above and comments which follow.

Turning first to the rejection of claim 11 under 35 U.S.C. §112 as being indefinite, claims 9 through 11 have been cancelled and have been placed in proper order as new claims 16 through 18. Logically, those claims follow claim 8. Former claim 11 (now claim 16) precedes former claims 9 and 10 (now claims 17 and 18), and new claim 16 has also been amended to specify the constructional features of the centrifugal evaporator. With claims 17 and 18 dependent from claim 16, is believed that the claims are clear.

Other Amendments have been made to the claims, as well. Claim 1 has been amended, as will be seen above, to make it clear that the sample holder is for centrifuging samples. Claims 12 and 13 have been amended, in their preambles, to refer to centrifuging in a centrifugal evaporator.

In the Office Action, the Examiner has rejected claims 1-6 and 10 under 35 U.S.C. §102 as being anticipated by Kimura U.S. Patent No. 5,167,926. Claim 6 and 7 have been rejected by the Examiner under 35 U.S.C. §103 as being obvious over Kimura. Finally, claims 12 and 13 have been rejected by the Examiner under 35 U.S.C. §103 as being obvious over Guy U.S. Patent No. 5, 217,572 in view of Kimura. While the indicated allowability of the subject matter of claim 8 is gratefully acknowledged, reconsideration is urged in view of the Amendments above and comments which follow.

Kimura does not show a sample holder **for centrifuging samples** in a centrifugal evaporator. The constant temperature vessels (56, 58, 60) of Kimura identified by the examiner are attached to the body of the centrifugal evaporator and remain stationary when the rotary sample carrier 14 is rotated to centrifuge the samples 16. Column 5, lines 1 to 20 of Kimura explain that the constant temperature vessels (56, 58, 60) are provided in a row **under the rotary sample carrier 14** and are movable up and down with respect to the sample carrier 14 when the sample tubes 16 on the sample rack 32 **are brought into vertical register with** the set of holes 62 in any of the three constant temperature vessels, i.e. when the rotary sample carrier 14 is stationary.

Thus Kimura does not show a sample holder for use in centrifuging samples that has all of the features of claim 1. Claim 1 is therefore not anticipated Kimura as are claims 2 to 6 by virtue of their dependence from claim 1.

The sample holder of claim 1 is also not obvious in view of Kimura because it has the considerable advantage that it does not need to be brought to a standstill every time it is required to heat samples in the sample holder, but the samples can be heated as they are centrifuged without being damaged by overheating.

Claims 2 to 7 are thus allowable by virtue of their dependency from claim 1.

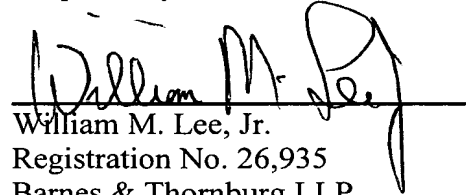
Amended claims 16 to 18 are novel and non-obvious for the same reasons as claim 1.

Amended claims 12 and 13 are also novel and non-obvious in view of Guy and Kimura, neither discloses either a method of heating samples **during centrifuging** in a centrifugal evaporator or a method of preventing early to dry samples **during centrifuging** in a centrifugal evaporator from overheating. Rather, the methods of Kimura require any process of centrifuging to be interrupted before the samples can be heated or early to dry samples can be cooled to prevent them from overheating.

Given the above, it is submitted that this Application is now fully in condition for allowance, and the Examiner's further and favorable reconsideration is urged.

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Respectfully submitted,



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